

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KEVIN AMBERS,

Plaintiff,

v.

HENRY RICHARDS *et al.*,

Defendants.

Case No. C05-5031RBL

ORDER GRANTING AN  
EXTENSION AND STAYING  
ACTION

This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Defendant's motion to dismiss, (Dkt., # 28), was noted to be heard September 2<sup>nd</sup>, 2005. On September 2<sup>nd</sup>, 2005 the court received a motion from defendants, asking that they be given until September 9<sup>th</sup>, 2005 to reply to plaintiff's response. If plaintiff has filed a response it has not yet been posted and is not available electronically.

The motion is **GRANTED**. The court needs to postpone ruling on the motion to dismiss until all filings are in and have been posted. To prevent prejudice to any party this action is **STAYED** until **September 23<sup>rd</sup>, 2005**. This will allow adequate time for a response to be filed and a reply to be filed and served.

Defendant's reply will be due on or before **September 16<sup>th</sup>, 2005**. The clerk is directed to

ORDER

1 re-note the motion to dismiss, (Dkt. # 28), for **September 23<sup>rd</sup>, 2005**. The Clerk is directed to send  
2 a copy of this Order to plaintiff, and to counsel for defendants.

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4 DATED this 6<sup>th</sup> day of September, 2005.

5 /s/ J. Kelley Arnold  
6 J. Kelley Arnold  
7 United States Magistrate Judge  
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28 ORDER